

Application No. 09/927,821
Reply to Office Action mailed May 7, 2003

Patent
Attorney Docket No. CU-2617

REMARKS/ARGUMENTS

A. Summary of Amendments

Independent claims 1 and 19 have been amended in view of the double patenting rejection raised by the Examiner in the Office Action.

Dependent claims 3, 6-9, 12-15, 17, 21, 24-27, 31, 34-37 and 39 have been amended in order to correct the claim dependencies and certain informalities detected by the Applicant.

Claims 5, 10-11, 23, 28 and 33 have been cancelled from the application.

The Applicant respectfully submits that support for the claims as amended exists in the specification as originally filed and that no new matter has been added to the application.

B. Summary of Rejections and Reply

Rejection of claims 1-10 and 19-32 under 35 USC 101

In the Office Action, the Examiner has rejected former claims 1-10 and 19-32 under 35 USC 101 (double patenting) as claiming the same invention as that of claims 1-24 of prior U.S. Patent No. 6,402,242 (hereinafter referred to as "the '242 Patent").

In response, the Applicant has revised independent claims 1 and 19 in order to clarify the subject matter being claimed. As a result, the Applicant respectfully submits that the claims as amended distinguish clearly and patentably over the '242

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Patent, such that the Examiner is requested to withdraw the rejection under 35 USC 101.

In particular, independent claims 1 and 19 have been respectively amended in order to include the following limitation:

"wherein when said receptacle and said pin are misaligned, at least one of said camming faces is responsive to movement of the body supporting portion of the chair to cause at least one of said jaws to undergo displacement with relation to the other jaw such as to cause said pin to enter said receptacle"

It is respectfully submitted that the '242 Patent does not disclose, teach nor suggest the above limitation of independent claims 1 and 19. More specifically, the '242 Patent does not teach that, when the receptacle and pin are misaligned, a camming face is responsive to movement of the body supporting portion of the chair for causing at least one of the jaws to undergo displacement with relation to the other jaw for causing the pin to enter the receptacle.

Furthermore, the above limitation parallels the subject matter of former claims 11 and 33 (now cancelled), which were found by the Examiner to be allowable if rewritten in independent form.

Accordingly, independent claims 1 and 19 as amended are believed to be novel and non-obvious over the prior art and, as such, in condition for allowance.

Claims 2-4, 6-9 and 12-18 depend either directly or indirectly from independent claim 1 and therefore include all of the limitations of independent claim 1. Hence, for the same reasons as set forth above with respect to independent claim 1, the Applicant respectfully submits that claims 2-4, 6-9 and 12-18 are also believed to be in condition for allowance.

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Similarly, claims 20-22, 24-27, 29-32 and 34-40 depend either directly or indirectly from independent claim 19 and therefore include all of the limitations of independent claim 19. Hence, for the same reasons as set forth above with respect to independent claim 19, the Applicant respectfully submits that claims 20-22, 24-27, 29-32 and 34-40 are also believed to be in condition for allowance.

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CONCLUSION

In view of the foregoing, the Applicant is of the view that claims 1-4, 6-9, 12-22, 24-27, 29-32 and 34-40 are in allowable form. Favorable reconsideration is requested and early allowance of the application is earnestly solicited.

If the claims of the application are not considered to be in full condition for allowance, for any reason, the Applicant respectfully requests the constructive assistance and suggestions of the Examiner in drafting one or more acceptable claims pursuant to MPEP 707.07(j) or in making constructive suggestions pursuant to MPEP 706.03 so that the application can be placed in allowable condition as soon as possible and without the need for further proceedings.

Respectfully submitted,



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